

~~PROPOSED~~ ORDER/COVER SHEET

TO: Honorable Wayne D. Brazil  
U.S. Magistrate Judge

**FILED**RE: Kelvin Arnold

FEB 29 2008

FROM: Claudette M. Silvera, Chief  
U.S. Pretrial Services Officer

DOCKET NO.: CR 07-00488 CW

DATE: February 29, 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

THE ATTACHED MEMORANDUM WAS PREPARED BY PRETRIAL SERVICES OFFICER:

Paul Mamaril  
U.S. PRETRIAL SERVICES OFFICER

510-637-3757  
TELEPHONE NUMBER

RE: MODIFICATION OF CONDITIONS (OR INFORMATION/VIOLATION)

We are requesting direction from the Court. Please initial the appropriate box(es), and return this form to us so that we may comply with your instructions.

- ☐ I have reviewed the information that you have supplied. I do not believe that this matter requires any action by this Court at this time.
- ☒ Inform all parties concerned that I will conduct a Bail Review Hearing in Courtroom No. 4 on TUES., 03/11/08 at 10:00 am.
- ☐ Inform all parties concerned that a Bail Review Hearing will be conducted by:  
Magistrate Judge \_\_\_\_\_ Presiding District Court Judge \_\_\_\_\_
- ☐ I agree with the recommendation of the Pretrial Services Officer and hereby modify the defendant's Pretrial Release conditions as indicated below:
- ☐ Modification(s)
- A.
- B.
- ☐ Bail Revoked/Bench Warrant Issued.
- ☐ I am returning the signed order and direct that a copy be provided to the Court file and all interested parties(AUSA and Defense Counsel).
- ☐ Other Instructions:

Wayne D. Brazil  
JUDICIAL OFFICER

2-29-08  
DATE

cc: Copy to parties via ECF, WAB's Stats,  
Shelah, Pretrial, Financial

**To:** Honorable Wayne D. Brazil  
U.S. Magistrate Judge

**From:** Paul Mamaril  
U.S. Pretrial Services Officer

**Subject:** **KELVIN ARNOLD**  
**CR 07-00488 CW**



## MEMORANDUM

### NOTICE OF VIOLATION OF RELEASE CONDITIONS

**Date:** February 29, 2008

Your Honor:

The above-captioned individual was released by the Court with supervision by U.S. Pretrial Services including the following special release condition(s):

- ☐ the defendant shall report as directed by U.S. Pretrial Services
- ☐ the defendant shall seek or maintain gainful employment
- ☐ the defendant shall remain in the custody of a third party custodian
- ☒ the defendant shall submit to random drug testing and/or treatment as directed by U.S. Pretrial Services
- ☐ the defendant's travel shall be restricted to \_\_\_\_\_
- ☐ the defendant shall comply with a curfew from \_\_\_\_\_ to \_\_\_\_\_
- ☐ the defendant shall submit to electronic monitoring
- ☐ other special condition \_\_\_\_\_

### VIOLATION

The defendant has apparently violated the release conditions by:

- ☐ not reporting as directed
- ☐ failing to maintain or secure gainful employment
- ☐ not residing with the third party custodian
- ☒ failed to report for drug testing and/or scheduled treatment
- ☐ traveling outside of the court restricted area without Court permission
- ☐ violating curfew
- ☐ violating the terms of electronic monitoring
- ☐ other: \_\_\_\_\_

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**NOTICE OF VIOLATION OF RELEASE CONDITIONS**

**RE: KELVIN ARNOLD  
CR 07-00488 CW**

**DETAILS OF ALLEGED VIOLATION**

On Saturday, February 16, 2008, and on Monday, February 18, 2008, this officer received a notification from Sharper Future in Hayward, California, indicating that the defendant failed to report for random drug testing.

On February 26, 2008, this officer addressed these missed drug tests with the defendant. Mr. Arnold indicated that he was not aware his testing number was called. This officer advised the defendant that the Court will be notified about this issue and that he needs to be more responsible about reporting for drug testing.

**RECOMMENDATION**

Based upon the alleged violation(s), U.S. Pretrial Services respectfully recommends that the Court:

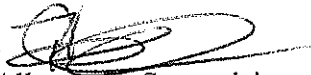
- ☐ not take any punitive action at this time
- ☒ convene a Bail Violation Hearing to discuss this situation
- ☐ other: \_\_\_\_\_

Respectfully Submitted,



Paul Mamaril  
U.S. Pretrial Services Officer

Reviewed by:



Allen Lew, Supervising  
U.S. Pretrial Services Officer

cc: Claudia Wilkin  
U.S. District Judge

Ismail Ramsey  
Defense Counsel

Keslie Stewart  
Assistant U.S. Attorney